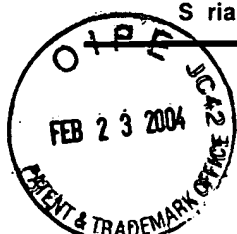


BDAC #14

Serial No. 09/821,009

Petition for Revival of An
Application for Patent

Examiner: Cameron Saadat
Group Art Unit: 3713



RECEIVED

FEB 25 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICE OF PETITIONS

INVENTORS: R. Alan Whitehurst, Christopher L. Powell, Roger Webb

TITLE: Method and system for training in an adaptive manner

FILING DATE: March 29, 2001

EXAMINER NAME: Cameron Saadat

SERIAL NO.: 09/821,009

GROUP ART UNIT: 3713

DOCKET: 8634.8/5144 P

Attention: Office of Petitions
Mail Stop: PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Honorable Commissioner:

The above-identified application became abandoned for failure to file a timely and proper reply to an Office Action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office Action plus an extension of time actually obtained.

An Office Action was mailed February 13, 2003. A shortened statutory period for response was set to expire three months from the date of the Office Action.

Applicant hereby petitions for revival of this application.

02/24/2004 JADD01 00000029 09821009

01 FC:2453

665.00 DP

Enclosed are:

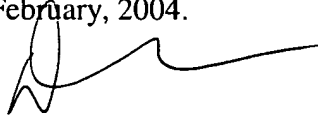
1. A Petition Fee of \$665.00 for a small entity;
2. A reply in the form of AMENDMENT AND RESPONSE TO NON-FINAL OFFICE ACTION;
3. PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) with fee of \$475.00 for a small entity extending the period for response to the statutory deadline of August 13, 2003.

Since this application was filed after June 8, 1995, no terminal disclaimer is required.

STATEMENT

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Respectfully submitted this 18th day of February, 2004.



Daniel P. McCarthy
Reg. No. 36,600
PARSONS, BEHLE & LATIMER
201 South Main Street, Suite 1800
Post Office Box 45898
Salt Lake City, Utah 84145-0898
(801) 532-1234

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****RECEIVED****INVENTORS:** R. Alan Whitehurst, Christopher L. Powell, Roger Webb**FEB 25 2004****TITLE:** Method and system for training in an adaptive manner**OFFICE OF PETITIONS****FILING DATE:** March 29, 2001**EXAMINER NAME:** Cameron Saadat**SERIAL NO.:** 09/821,009**GROUP ART UNIT:** 3713**DOCKET:** 8634.8/5144 P

Attention: Office of Petitions
Mail Stop: PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

CERTIFICATE OF MAILING**Honorable Commissioner:**

I hereby certify that the attached Petition for Revival of An Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b) is being submitted via First Class Mail with the United States Postal Service in an envelope with sufficient postage on February 18, 2004, the envelope being addressed to: Attention: Office of Petitions, Mail Stop: Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450.

Respectfully submitted this 18th day of February, 2004.

Daniel P. McCarthy
Reg. No. 36,600
PARSONS, BEHLE & LATIMER
201 South Main Street, Suite 1800
Post Office Box 45898
Salt Lake City, Utah 84145-0898
(801) 532-1234